
HOUSE BILL No. 1319

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-10-1-1; IC 25-27-1.

Synopsis: Chiropractors and physical therapists. Defines "manual adjustment" in the law governing licensing of chiropractors. Defines "manual therapy" in the law governing licensing of physical therapists, and allows physical therapists to use manual therapy.

Effective: July 1, 2006.

Austin

January 10, 2006, read first time and referred to Committee on Public Health.

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Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

HOUSE BILL No. 1319

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-10-1-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. As used in this
3 article:

4 (1) "Chiropractic" means the diagnosis and analysis of any
5 interference with normal nerve transmission and expression, the
6 procedure preparatory to and complementary to the correction
7 thereof by an adjustment of the articulations of the vertebral
8 column, its immediate articulation, and includes other incidental
9 means of adjustments of the spinal column and the practice of
10 drugless therapeutics. However, chiropractic does not include any
11 of the following:

12 (A) Prescription or administration of legend drugs or other
13 controlled substances.

14 (B) Performing of incisive surgery or internal or external
15 cauterization.

16 (C) Penetration of the skin with a needle or other instrument
17 for any purpose except for the purpose of blood analysis.



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(D) Use of colonic irrigations, plasmatics, ionizing radiation therapy, or radionics.

(E) Conducting invasive diagnostic tests or analysis of body fluids except for urinalysis.

(F) The taking of x-rays of any organ other than the vertebral column and extremities. ~~and~~

(G) The treatment or attempt to treat infectious diseases, endocrine disorders, or atypical or abnormal histology.

(2) "Chiropractor" means any person who is qualified under this chapter to practice the science of chiropractic.

(3) "Board" means the board of chiropractic examiners under section 1.5 of this chapter.

(4) "Bureau" means the health professions bureau under IC 25-1-5.

(5) "Manual adjustment" means a manual or mechanical intervention that may have velocity, lever, amplitude, or recoil and that:

(A) may carry a joint complex beyond the normal physiological range of motion;

(B) is applied without exceeding the boundaries of anatomical integrity of the joint complex or other articulations; and

(C) is intended to result in a cavitation of the joint or a reduction of a subluxation.

SECTION 2. IC 25-27-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. For the purposes of this chapter:

(1) "Physical therapy" means the evaluation of, administration of, or instruction in physical rehabilitative and habilitative techniques and procedures to evaluate, prevent, correct, treat, alleviate, and limit physical disability, pathokinesiological function, bodily malfunction, pain from injury, disease, and any other physical disability or mental disorder, including:

(A) the use of physical measures, agents, and devices for preventive and therapeutic purposes;

(B) neurodevelopmental procedures;

(C) the performance, interpretation, and evaluation of physical therapy tests and measurements; and

(D) the provision of consultative, educational, and other advisory services for the purpose of preventing or reducing the incidence and severity of physical disability, bodily malfunction, and pain.

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(2) "Physical therapist" means a person who practices physical therapy as defined in this chapter.

(3) "Physical therapist's assistant" means a person who assists in the practice of physical therapy as defined in this chapter.

(4) "Board" refers to the medical licensing board.

(5) "Committee" refers to the Indiana physical therapy committee established under section 4 of this chapter.

(6) "Person" means an individual.

(7) "Manual therapy" means a group of techniques comprising a continuum of skilled passive movements to the joints or related soft tissues throughout the normal range of physiological motion that are applied at varying speeds and amplitudes without engaging in a technique that is intended to result in a cavitation of the joint or a reduction of a subluxation.

SECTION 3. IC 25-27-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. (a) Except as otherwise provided in this chapter, it is unlawful for a person to practice physical therapy or to profess to be a physical therapist, physiotherapist, or physical therapy technician or to use the initials "P.T.", "P.T.T.", or "R.P.T.", or any other letters, words, abbreviations, or insignia indicating that the person is a physical therapist, or to practice or to assume the duties incident to physical therapy without first obtaining from the board a license authorizing the person to practice physical therapy in this state.

(b) It is unlawful for a person to practice physical therapy other than upon the order or referral of a physician, podiatrist, psychologist, chiropractor, or dentist holding an unlimited license to practice medicine, podiatric medicine, psychology, chiropractic, or dentistry, respectively. It is unlawful for a physical therapist to use the services of a physical therapist's assistant except as provided under this chapter. For the purposes of this subsection, the function of:

(1) teaching;

(2) doing research;

(3) providing advisory services; or

(4) conducting seminars on physical therapy;

is not considered to be a practice of physical therapy.

(c) Except as otherwise provided in this chapter, it is unlawful for a person to act as a physical therapist's assistant or to use initials, letters, words, abbreviations, or insignia indicating that the person is a physical therapist's assistant without first obtaining from the board a certificate authorizing the person to act as a physical therapist's

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1 assistant. It is unlawful for the person to act as a physical therapist's
 2 assistant other than under the direct supervision of a licensed physical
 3 therapist who is in responsible charge of a patient or under the direct
 4 supervision of a physician. However, nothing in this chapter prohibits
 5 a person licensed or registered in this state under another law from
 6 engaging in the practice for which the person is licensed or registered.
 7 These exempted persons include persons engaged in the practice of
 8 osteopathy, chiropractic, or podiatric medicine.

9 (d) This chapter does not authorize a person who is licensed as a
 10 physical therapist or certified as a physical therapist's assistant to:

11 (1) evaluate any physical disability or mental disorder except
 12 upon the order or referral of a physician, podiatrist, psychologist,
 13 chiropractor, or dentist;

14 (2) practice medicine, surgery (as described in
 15 IC 25-22.5-1-1.1(a)(1)(C)), dentistry, optometry, osteopathy,
 16 psychology, chiropractic, or podiatric medicine; or

17 (3) prescribe a drug or other remedial substance used in medicine.

18 **(e) A person who is licensed as a physical therapist or certified**
 19 **as a physical therapist's assistant is authorized to perform manual**
 20 **therapy.**

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